

**BOARD OF COUNTY COMMISSIONERS**

**AGENDA ITEM SUMMARY**

Meeting Date: April 16, 2003

Division: Growth Management

Bulk Item: Yes ☐ No ☒

Department: Planning Department

**AGENDA ITEM WORDING:** A public hearing to adopt an ordinance by amending Sec. 9.5-22(h)(1) of the Monroe County Land Development Regulations by adding a section to eliminate meetings during the month of August from regular yearly schedule of Planning Commission Hearings.

**ITEM BACKGROUND:** The Monroe County Planning Commission has proposed an amendment to Section 9.5-22(h)(1) of the Monroe County Land Development Regulations to eliminate meetings during the month of August from the regular yearly schedule of Planning Commission Hearings. This proposal was heard and approved on March 3, 2003 at a regular meeting of the Development Review Commission. The proposal was heard and approved by the Planning Commission on March 12, 2003.

**PREVIOUS RELEVANT BOCC ACTION:** None.

**CONTRACT/AGREEMENT CHANGES:** N/A

**STAFF RECOMMENDATIONS:** Approval

**TOTAL COST:** N/A

**BUDGETED:** Yes N/A No ☐

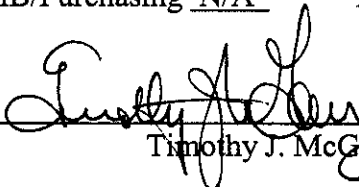
**COST TO COUNTY:** N/A

**SOURCE OF FUNDS:** N/A

**REVENUE PRODUCING:** Yes N/A No ☐ **AMOUNT PER MONTH** N/A **Year** N/A

**APPROVED BY:** County Atty X OMB/Purchasing N/A Risk Management N/A

**DIVISION DIRECTOR APPROVAL:**

  
Timothy J. McGarry, AICP

**DOCUMENTATION:** Included ☒ To Follow ☐ Not Required ☐

**DISPOSITION:** \_\_\_\_\_

**AGENDA ITEM #** U2

**AMENDMENT TO THE MONROE COUNTY LAND  
DEVELOPMENT REGULATIONS**

Board of County Commissioners  
Harvey Government Center  
April 16, 2003

## **PROPOSED AMENDMENT TO MONROE COUNTY LAND DEVELOPMENT REGULATIONS**

A request filed by the Monroe County Planning Commission to amend the Monroe County Land Development Regulations by amending Sec. 9.5-22(h)(1) in order to eliminate regular meetings during the month of August from the regular yearly schedule of Planning Commission Hearings.

### **Land Development Regulations text amendment**

Staff	<b>Approval</b>	February 5, 2003	Staff Report
DRC	<b>Approval</b>	March 3, 2003	Resolution #D07-03
PC	<b>Approval</b>	March 12, 2003	Resolution #P14-03

# **BOCC STAFF REPORT**

## **MEMORANDUM**

TO: Board of County Commissioners

FROM: Fred Gross, Director of Lower Keys Planning Team

DATE: April 8, 2003

SUBJECT: **Amendment to Sec. 9.5-22(h)(1) of the Monroe County Land Development Regulations adding a section to eliminate regular meetings during the month of August from regular yearly schedule of Planning Commission Hearings.**

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### **I. BACKGROUND**

The Monroe County Planning Commission is proposing an amendment to Sec. 9.5-22 of the MC Land Development Regulations proposing that regular August public hearings on the Planning Commission be discontinued. This proposal was reviewed and approved by staff on March 3, 2003 at a regular meeting of the Development Review Committee. This proposal was heard and approved by the Planning Commission on March 12, 2003. Only one public hearing is required for this item.

### **II. ANALYSIS & FINDINGS OF FACT**

1. The Commission finds that there is a need to make the changes outlined above.
2. The Commission finds that the proposed change is consistent with Section 9.5-511(d)(5)b.(iv) New Issues and (v) Recognition of a need for additional detail or comprehensiveness.
3. The Commission finds that the proposed change is consistent with the goals of the MC Year 2010 Comprehensive Plan.

### **III. PROPOSED TEXT**

- **Sec. 9.5-22. (Planning Commission) shall be amended as follows:**

(h) *Meetings, Hearings and Procedure:*

- (1) Regular meetings of the planning commission shall be

scheduled beginning January 1 of every calendar year for twice monthly and as required by a majority of the board of county commissioners, the chairman of the planning commission, or a majority of the members of the planning commission. However, no regular meetings shall be scheduled for the month of August.

\* Underlined text is new.

#### **IV. RECOMMENDATIONS**

Based on the Findings of Fact above, the Planning Commission recommends **APPROVAL** of the proposed amendments to the Monroe County Board of County Commissioners.

## **BOCC ORDINANCE**

**ORDINANCE NO.   -2003**

**A ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING A REQUEST OF THE MONROE COUNTY PLANNING DEPARTMENT TO AMEND THE MONROE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING SEC. 9.5-22(h)(1) (PLANNING COMMISSION MEETINGS) TO ELIMINATE THE REQUIREMENT FOR A REGULAR AUGUST MEETING.**

**WHEREAS**, an amendment to Sec. 9.5-22 of the Monroe County Land Development Regulations concerning the Monroe County Planning Commission meetings dates is being proposed in response to the Planning Commission's request that August public hearings be discontinued; and

**WHEREAS**, during a regular meeting held on March 12, 2003 the Monroe County Planning Commission conducted a public hearing on the proposed text and recommendations of staff; and

**WHEREAS**, no public opposition to the elimination of the regularly scheduled August meetings was received during the public hearing; and

**WHEREAS**, the Planning Commission after reviewing the staff report voted to recommend the amendment to Sec. 9.5-22 to the Board of County Commissioners; and

**WHEREAS**, the Board of County Commissioners finds that there is a need to make the changes outlined above; and

**WHEREAS**, the Board of County Commissioners finds that the proposed changes are consistent with Section 9.5-511 (d) (5)b. (iv) New Issues and (v) Recognition of a need for additional detail or comprehensiveness; and

**WHEREAS**, the Board of County Commissioners finds that the proposed changes are consistent with the goals of the Monroe County Year 2010 Comprehensive Plan

**WHEREAS**, it is the desire of the Monroe County Board of County Commissioners that the following amendment to the County Code be adopted and transmitted to the state land-planning agency for approval.

**WHEREAS**, the elimination of two meetings a year will not be detrimental to the Planning Commission achieving it's mission; **NOW THEREFORE**,



**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, THAT:**

**Section 1.** Section 9.5-22(h)(1) [ Planning Commission Meetings, Hearings and Procedures], Monroe County Code, is hereby amended as follows:

**Sec. 9.5-22. Planning Commission**

(h) *Meetings, Hearings and Procedure:*

- (1) Regular meetings of the planning commission shall be scheduled beginning January 1 of every calendar year for twice monthly and as required by a majority of the board of county commissioners, the chairman of the planning commission, or a majority of the members of the planning commission. However, no regular meetings shall be scheduled for the month of August.

\* Underlined text is new

**Section 2.** If any section, subsection, sentence, clause, item, change or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

**Section 3.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

**Section 4.** The ordinance is hereby transmitted to the Florida Department of Community Affairs pursuant to Chapter 163 and 380, Florida Statutes.

**Section 5.** This ordinance shall be filed in the Office of the Secretary of State of the State of Florida, but shall not become effective until a notice is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance with Chapter 163, Florida Statutes.

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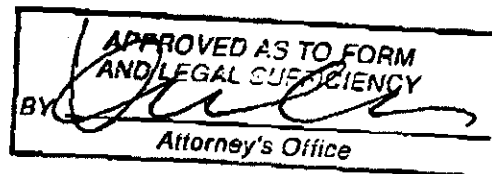
**PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County,  
Florida at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2003.

Mayor Dixie Spehar \_\_\_\_\_  
Mayor Pro Tem Murray Nelson \_\_\_\_\_  
Commissioner Charles "Sonny" McCoy \_\_\_\_\_  
Commissioner George Neugent \_\_\_\_\_  
Commissioner David Rice \_\_\_\_\_

BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

BY \_\_\_\_\_  
Mayor Dixie Spehar

(SEAL)



ATTEST: DANNY KOHLAGE, CLERK

\_\_\_\_\_  
DEPUTY CLERK

## **PC RESOLUTION**

**MONROE COUNTY, FLORIDA  
PLANNING COMMISSION RESOLUTION #P14-03**

**A RESOLUTION BY THE MONROE COUNTY PLANNING COMMISSION APPROVING A REQUEST OF THE MONROE COUNTY PLANNING DEPARTMENT TO AMEND THE MONROE COUNTY LAND DEVELOPMENT REGULATIONS BY AMENDING SEC. 9.5-22 (PLANNING COMMISSION MEETINGS) TO ELIMINATE THE REQUIREMENT FOR AN AUGUST REGULAR MEETING.**

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**WHEREAS**, an amendment to Sec. 9.5-22 of the Monroe County Land Development Regulations concerning the Monroe County Planning Commission meeting dates is being proposed in response to the Planning Commission's request that August public hearings be discontinued; and

**WHEREAS**, during a regular meeting held on March 12, 2003 the Monroe County Planning Commission conducted a public hearing on the proposed text and recommendations of staff; and

**WHEREAS**, the Monroe County Planning Commission was presented with the following evidence, which by reference is hereby incorporated as part of the record of said hearing;

1. Staffs report prepared on March 5, 2003 by Fred Gross, Island Planning Team Director.
2. Proposed change to the Monroe County Land Development Regulations; and
3. The sworn testimony of the Growth Management Staff; and

**WHEREAS**, the Commission finds that there is a need to make the changes outlined above; and

**WHEREAS**, the Commission finds that the proposed changes are consistent with Section 9.5-511 (d) (5) b. (iv) New Issues and (v) Recognition of a need for additional detail or comprehensiveness; and

**WHEREAS**, the Commission finds that the proposed changes are consistent with the goals of the Monroe County Year 2010 Comprehensive Plan

**NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA**, that the preceding findings support its decision to recommend **APPROVAL** to the Monroe County Board of County Commissioners of the following change to the text of the Monroe County Land

Development Regulations as requested by the Monroe County Planning Department.

**PROPOSED AMENDMENT:**

- **Sec. 9.5-22. (Planning Commission) shall be amended as follows:**

(h) *Meetings, Hearings and Procedure:*

- (1) Regular meetings of the planning commission shall be scheduled beginning January 1 of every calendar year for twice monthly and as required by a majority of the board of county commissioners, the chairman of the planning commission, or a majority of the members of the planning commission. However, no regular meetings shall be scheduled for the month of August.

\* Underlined text is new

**PASSED AND ADOPTED** By the Planning Commission of Monroe County, Florida at a regular meeting held on the 12<sup>th</sup> day of March 2003.

David C. Ritz, Chair  
Vice Chair Denise Werling  
Commissioner Jerry Coleman  
Commissioner Giulio Margalli  
Commissioner Alicia Putney

ABSENT  
YES  
YES  
YES  
YES

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

By \_\_\_\_\_  
David C. Ritz, Chair

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2003

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY \_\_\_\_\_  
Attorney's Office